

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	Case No. 4:11CR3091
)	
Plaintiff,)	ORDER ON PARTIES'
)	STIPULATION
vs.)	REGARDING FORENSIC
)	COMPUTER
TRAVIS TROTTER,)	EXAMINATION
)	
Defendant.)	

The United States of America and Travis Trotter stipulate as follows:

1. For the purposes of this Stipulation:

- a. The term "Defendant's counsel" refers to Defendant's counsel of record, Clarence E. Mock III, and any other attorney employed by the law firm of Johnson and Mock.
- b. The term "Government" refers to the United States of America, its agents and representatives.
- c. The term "defense expert" refers to Daniel Meinke and any other employee of Computer Forensic Resources, Inc.
- d. The term "defense hard drive" refers to a forensically searchable image of digital media seized during execution of a search warrant on April 5, 2011 at 151 S. C Street, Broken Bow, Nebraska 68822, containing alleged child pornography at issue in this case.

2. The parties agree the following conditions, if ordered by the Court, will serve the government's interests in protecting against additional harm to victims by further dissemination of contraband images while permitting Trotter's defense counsel to effectively prepare for trial:

- a. Trotter's defense expert and a designated representative of the government shall confer for the purpose of providing the defense expert with information about the

quantity of the electronic data in the possession of the government, the data's format and any other issues directly relevant to facilitating defense expert's examination of the electronic data.

b. The defense expert shall send a forensically wiped hard drive to the government and the government shall use this hard drive to create a defense hard drive.

c. The government shall transfer the defense hard drive directly to the U.S. Attorney's office in Sioux Falls, South Dakota to the attention of AUSA Jeff Clapper who will arrange for viewing of the forensically copied hard drive by Trotter's defense expert utilizing the defense expert's equipment already located within a secure area within the South Dakota U.S. Attorney's office under the procedure currently employed in other cases by the South Dakota U.S. Attorney's office and Trotter's defense expert.

d. Neither Trotter's defense counsel nor Trotter's defense expert shall make or permit to be made any copies of alleged child pornography present in the defense hard drive and shall not remove any alleged child pornography from the South Dakota U.S. Attorney's office facility. However, Trotter's defense expert will be allowed to copy all or a portion of any file that is not child pornography contraband and compile a report (without contraband images/videos) documenting the defense expert's examination on removable media at the discretion of the defense expert.

e. The government shall not attempt to record any audio generated from the defense expert's work station and no attempt shall be made to observe the defense team's work product or computer monitor screen at any time. Trotter's defense expert may use encryption software to ensure protection of defense expert's work product.

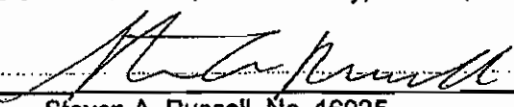
3. The above-described procedure relates solely to the facts and circumstances of this case. Furthermore, an Order by the Court related to the subject matter of this Stipulation does not constitute a waiver by the government regarding procedures generally employed for conducting forensic review of child pornography.

4. By signing this Stipulation Trotter does not waive any constitutional challenge to 18 U.S.C. § 3509(m).

5. The parties jointly request the Court enter an Order in conformance with this Stipulation.

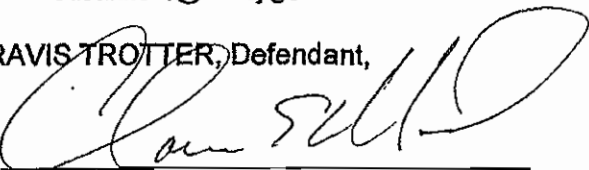
UNITED STATES OF AMERICA,
DEBORAH R. GILG, U.S. Attorney, Plaintiff,

BY


Steven A. Russell, No. 16925
Assistant U.S. Attorney
1620 Dodge St., #1400
Omaha, NE 68102
(402) 661-3700
susan.lehr@usdoj.gov

TRAVIS TROTTER, Defendant,

By


Clarence E. Mock, No. 15443
JOHNSON AND MOCK
307 N. Oakland Ave.
P.O. Box 62
Oakland, Nebraska 68045
(402) 685-5647
cmock@johnsonandmock.com

IT IS ORDERED:

The terms of the parties' stipulation, as set forth above, are hereby approved and ordered by the court.

Dated this 23rd day of February, 2012.


United States Magistrate Judge